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## DIGEST

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Champagne

HB No. 781

**Abstract:** Creates the Erath-Delcambre Consolidated Wastewater District in Iberia and Vermilion parishes.

Present law authorizes municipalities to create sewerage or wastewater districts to handle the construction, operation, and maintenance of sewer systems within the city. Proposed law retains present law.

Proposed law creates a consolidated wastewater district for the towns of Erath and Delcambre in Vermilion and Iberia parishes.

Proposed law provides for the boundaries of the district. Further provides for the governance of the district by a five-member board of commissioners, appointed as follows:

- (1) Two members shall be appointed by the governing authority of the town of Erath.
- (2) Two members shall be appointed by the governing authority of the town of Delcambre.
- (3) One member shall be appointed by the seafood processing facilities within the district.

Proposed law further provides that members shall serve staggered four-year terms. All members are eligible for reappointment to the board, but no member can serve more than three consecutive terms. Members may also be removed for cause as provided in proposed law.

Proposed law provides for vacancies on the board and further provides that any member who misses four consecutive regular meetings shall automatically lose his position on the board.

Proposed law provides for the organization of the board. Members shall serve without compensation and shall adopt bylaws for the governance of the board. The board members shall also elect from among themselves certain officers as required in proposed law. A majority of the members of the board shall constitute a quorum, and the board shall meet in regular and special meetings as provided in its bylaws.

Proposed law further provides for the powers of the board, which include:

- (1) The power to acquire, hold, lease, or dispose of property.

- (2) The power to contract for, install, maintain, and operate a sewerage system within the district and to exercise the power of expropriation to achieve such ends.
- (3) The power to incur indebtedness and to issue bonds, as provided under present law.
- (4) The power to receive gifts, grants, donations, or appropriations of money.
- (5) The power to hire employees or to contract for labor.
- (6) Any other powers necessary or incidental to the achievement of the purpose of the district.

Proposed law further provides that the district may, subject to voter approval, levy taxes on real property in order to fund any aspect of the sewer system. Proposed law provides restrictions on the levy of such taxes.

Proposed law provides for the district to assume the debt of any underlying sewerage district wholly included within its boundaries. Further provides that if the district does not assume such pre-existing debts of underlying districts, that the district shall not impair the contractual rights of any obligation holder of the underlying district. Provides that the district shall continue to levy all taxes dedicated to paying off the underlying district's debt at the same rate they were levied before the creation of the district.

Proposed law further authorizes the district to issue a new series of refunding bonds to pay back any refunding bonds of the underlying district and to produce revenue for improvements of the consolidated district. Provides restrictions on such refunding bonds and methods of issuing such refunding bonds to pay back the underlying obligations.

Effective Jan. 1, 2011.

(Adds R.S. 33:7714)